IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7989 of 2005

Between:

Jada Savarala Sangham, Regd. No. JNDY/59/75, Savarala Basthi, Srinivasnagar, Parsigutta Road, Secunderabad 500 061.

..... PETITIONER

AND

1 The Executive Officer, Sree Anjaneya Swamy Temple, At Kondagattu Muthyampet (V), Malyala Mandal, Karimnagar.
2 The Commissioner, Endowments Department, Ramkote, Hyderabad.
3 Nayi Brahmman Sangham, rep. by Narayana, Kondagattu, Muthyampet (V), Malyala (M), Karimnagar District.
4 The Prl. Secretary to Govt ., of A.P., Revenaue Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order, direction or writ, particularly, in the nature of writ of Mandamus directing the respondents to implement the directions of the Commissioner, endowments Department, Hyderabad, in Ltr. Vide R.C.No.G1/33402/04,. dt. 22.11.2004, for conducting public Auction for the leasehold rights for the collection of human hair for the year 2005-2006 in the Anjaneya Swamy Temple, at Kondagattu, Muthyampet Village, Malayala Mandal, Karimnagar District, or in the alternative, award the contract in favour of the petitioner for the highest bid of Rs. 10 Lakhs per year and pass such other and further orders.

Counsel for the Petitioner: MR.AKELLA.SREENIVAS RAO

Counsel for the Respondent No.1: Mr.K.Ravi

Counsel for the Respondent No.2 & 3: GP FOR ENDOWMENTS

Counsel for the Respondent No.4: G.P. FOR REVENUE

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that, the directions of the second respondent herein issued to the first respondent to conduct public auction for the lease hold rights in respect of the human hair, for the year 2005-06, are not being complied with.

Learned counsel for the petitioner contends that rule 12 of the Endowments Works Rules, which postulates that any work worth more than Rs.5,00,000/- should be subject to public auction. The general principle laid down by the Supreme Court also is that it is always desirable to put such works to public auction.

It is further contended that the petitioner is prepared to pay Rs.15,00,000/-, whereas the third respondent who is now continuing as a contractor has been paying Rs.10,00,000/- only and in spite of the directions, issued by the second respondent to put the human hair to public auction, the first respondent, for the reasons best known to him, is not acting in accordance with the directions of the second respondent.

Hence, I feel it expedient to direct the first respondent to put the lease hold rights for the year 2005-06 in respect of the human hair to public auction within four weeks from the date of receipt a copy of this order. Till such time, *status-quo* obtaining as on today shall be maintained.

With the above directions, the writ petition is disposed of at the stage of admission. No costs.

11-04-2005

To

1 The Executive Officer, Sree Anjaneya Swamy Temple,
At Kondagattu Muthyampet (V), Malyala Mandal, Karimnagar.

2 The Commissioner, Endowments Department, Ramkote, Hyderabad.

3 The Prl. Secretary to Govt ., of A.P., Revenaue Department, Secretariat, Hyderabad.

4 Two CCs each to GP for Endowments & G.P. for Revenue, High Court buildings, Hyderabad.

5 Two CD copies.